

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

ROBERT SIMPSON EVANS, JR.,	)	
	)	
Petitioner,	)	
	)	
v.	)	Case No. CIV-16-398-M
	)	
JOE M. ALLBAUGH, Interim Director,	)	
Oklahoma Department of Corrections,	)	
	)	
Respondent.	)	


**ORDER**

On May 11, 2016, United States Magistrate Judge Gary M. Purcell issued a Report and Recommendation in this action brought pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. The Magistrate Judge recommended that the Petition for Writ of Habeas Corpus be dismissed. Petitioner was advised of his right to file an objection to the Report and Recommendation by May 31, 2016. On May 31, 2016, petitioner filed his objection.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 7] issued by the Magistrate Judge on May 11, 2016; and
- (2) DISMISSES the Petition for Writ of Habeas Corpus, as the Petition is successive, without prejudice.

**IT IS SO ORDERED this 11th day of August, 2016.**

  
VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE